

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Jeffrey S. Kaplan
DOCKET NO.: 04-27098.001-R-1
PARCEL NO.: 14-31-201-022-0000
TOWNSHIP: North Chicago

The parties of record before the Property Tax Appeal Board are Jeffrey S. Kaplan, the appellant, by attorney David C. Dunkin of Arnstein & Lehr, LLP, in Chicago, and the Cook County Board of Review.

The subject property consists of a 3.75-acre parcel improved with 106 year-old, three-story masonry dwelling that contains approximately 8,000 square feet of living area. The subject property is located in Chicago, North Township, Cook County.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this argument, the appellant submitted a settlement statement indicating the subject sold for \$750,000 on November 27, 2002. The evidence further indicated the subject was advertised for sale through multiple listing and was sold through a realtor. The appellant also submitted the final decision issued by the Cook County Board of Review wherein the subject's total assessment of \$89,801 was disclosed. The subject's assessment reflects a market value of approximately \$898,909 using the Cook County 2004 median level of assessments for Class 2 property of 9.99%. This evidence was timely filed by the appellant pursuant to the Official Rules of the Property Tax Appeal Board.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant in this appeal contends the market value of the subject property is not accurately reflected in its assessed valuation. When market

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	14,797
IMPR.:	\$	60,128

TOTAL: \$ 74,925

Subject only to the State multiplier as applicable.

value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the board of review did not submit any evidence in support of its assessment of the subject property as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. The board of review further failed to submit any evidence indicating that the subject's November 27, 2002 sale for \$750,000 was not an arm's length transaction. The Board has examined the information submitted by the appellant and finds that the subject had a market value of \$750,000 as of January 1, 2004. Since market value has been established, the 2004 Cook County median level of assessments for Class 2 property of 9.99% shall apply.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 1, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the

session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.